

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

COMMODITY FUTURES TRADING

COMMISSION, Case No. 18-CV-00361 (JBW) (RLM)

Plaintiff,

DEFENDANT RESPONSE TO PLAINTIFF

CFTC'S INITIAL RESPONSE TO DEFENDANT

v.

MCDONNELL'S OPPOSITION TO PLAINTIFF

NOTICE OF WITHDRAWAL OF JURY DEMAND

PATRICK K. MCDONNELL,

ATTACHMENT 1

and CABBAGETECH, CORP. d/b/a COIN

DROP MARKETS,

Defendants.

VIA ECF

The Honorable Jack B. Weinstein
United States District Judge
United States District Court for the
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Dear Judge Weinstein:

I am a Defendant in the above referenced matter writing concerning **Plaintiff**

1.

Commodity Futures Trading Commission's Initial Response To Defendant McDonnell's "Opposition To Plaintiff Notice Of Withdrawal Of Jury Demand."

Plaintiff claims; *"Both the Court on March 6, 2018, and Chief Magistrate Judge Mann (e.g., ECF 46) advised the Defendant to consult with the Federal Pro Se Legal Assistance Project, and he cannot dispute he did. (ECF 129.)"* Below *bonafide* emails with the Federal Pro Se Legal Assistance Project state the truth sir. As I also put in a request for the project to draft a letter of my time with them and am awaiting that now.

DEFENDANT PROOF OF FEDERAL PRO SE LEGAL ASSISTANCE [EMAIL 1 & 2]

EMAIL 1

Sent: Thursday, May 10, 2018 at 8:21 AM

From: "Cat Itaya" <citaya@nycbar.org>

To: "Patrick McDonnell" <cdm@gmx.us>

Subject: RE: Resignation from Pro Bono Clinic

Mr. McDonnell,

We are sorry to hear that your meeting with Kramer did not work out. We hope the below explanation of our process of looking for pro bono counsel will answer your questions.

To try to find you pro bono counsel, we sent a very brief summary of your case, along with summaries of other cases in need of counsel, to our listserv of lawyers interested in doing work pro bono. As an office policy, we do not share the summaries with clients. Your summary was a few sentences long, did not include your name, and summarized the nature of your case and its procedural posture at a very high level.

We also sent the Complaint in your case to firms that expressed interest after reading the summary, including Kramer and Pillsbury. The firms then typically run internal conflict checks to make sure that they would not be prevented from assisting you due to

an ethical conflict. If the conflicts clear, then we provide the interested law firm your contact information and notify you that the firm will be reaching out to you. The lawyers with whom you met may have done further research before speaking to you, but they would have been limited to what is publicly available on PACER, in combination with any knowledge they had learned about CFTC investigations into cryptocurrency from their prior work on that topic.

At your request, we will stop looking for pro bono counsel for you. We are now closing your file with our office.

We wish you the best of luck with your case.

Sincerely,
Cat Itaya

Director
Pro Se Legal Assistance Project
225 Cadman Plaza East
Brooklyn, NY 11201
(212) 382-4729

EMAIL 2

Sent: Wednesday, May 09, 2018 at 5:02 PM
From: "Patrick McDonnell" <cdm@gmx.us>
To: citaya@nycbar.org
Subject: Resignation from Pro Bono Clinic

Hi Cat,

I am writing you to say 'thank you' and inform you that I resign from the Fed Pro Bono Clinic. Your efforts are duly noted, yet it seems these lawyers being referred are 'information gatherers'. This last firm asked me a 'unique' question I discussed with the

CFTC very specifically impossible for someone outside the case to speak. Maybe I am crazy? But seems they all connect somehow, somewhere, someway many conflicts. I will figure something out, please tell Dylan thank you as well. This program just seems to be a way of discovering more information on me with no commitment in anyway from attorney's whether intended by design to do so or not. I have been exploited by Kramer and think this is not fair.

Regards,

Patrick K. McDonnell

Respectfully Submitted,

July 14, 2018

/s/ Patrick K. McDonnell

Patrick K. McDonnell "Pro Se"

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4.

